



City of West Allis

Legislation Text

File #: R-2005-0088, **Version:** 1

Resolution relative to determination of Special Use Application to establish a training center for SBC at 313 S. Curtis Rd. (Tax Key No. 413-9993-014)

WHEREAS Tim Otzelberger, on behalf of SBC, duly filed with City Administrative Officer-Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.16 and Sec. 12.45(2) of the Revised Municipal Code to establish a training center for SBC within the existing building located at 313 S. Curtis Rd.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on March 15, 2005, at 7:00 p.m. in the Common Council Chambers to consider the application; and,

WHEREAS, the Common Council, having carefully considered the evidence presented at the public hearing and the following pertinent facts noted:

1. The applicant, Tim Otzelberger, of SBC, has offices at N17 W24300 Riverwood Dr., Waukesha, WI 53188.
2. SBC/Wisconsin Telephone Co. owns said premises located at 313 S. Curtis Rd., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All the land of the owner being located in the Northwest $\frac{1}{4}$ of Section 31, Township 7 North, Range 21 East, City of West Allis, Milwaukee County, Wisconsin, described as follows:

Parcel 3 of the Certified Survey Map No. 3627.

TAX KEY NO. 413-9993-014

Said Property being located at 313 S. Curtis Rd.

3. The aforesaid area is zoned M-1 Manufacturing District under the Zoning Ordinance which permits training centers including public and private educational institutions as a special use, pursuant to Sec. 12.16 and Sec. 12.45(2) of the Revised Municipal Code.
4. The applicant is proposing to establish a training facility within the existing building located at 313 S. Curtis Rd. Outdoor storage and parking will also be present on site in accordance with a site, landscaping and screening plan approved by the West Allis Plan Commission.
5. The subject property is located on the west side of S. Curtis Rd. between W. Adler Ln. and S. 116 St. Properties to the north, south and east are developed as manufacturing. Properties to the west are developed as parkway (Underwood Creek).

6. The use, value and enjoyment of other property in the surrounding area for permitted uses will not be substantially impaired or diminished by the establishment, maintenance or operation of the special use. A solid screen of both a fence and privacy slats is required to screen the outdoor storage areas. The parking area on the east side of the building is currently landscaped and additional landscaping will be added as a condition of the special use.

7. The existing 30,000 square foot building is divided into offices, warehouse space and garage space. The rear yard (approximately 219,000 square feet) is used for cable reel storage and equipment/truck parking. The parking requirement for the site is for 109 vehicles, and 72 parking stalls will be made available on site. Sec. 12.19 of the RMC requires one parking stall for every 5,000 square feet of outdoor storage area. The 5-acre (219,000 square feet) outdoor storage area alone requires 44 parking stalls. The Common Council may modify the parking requirement based upon the following:

- (1.) The rear yard area has sufficient space for future parking areas if necessary,
- (2.) Normal staff occupancy is expected to be approximately 15 persons with a maximum of 40 trainees at any one time,
- (3.) Any additional intensification to the site will require a new special use approval.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of Tim Otzelberger, on behalf of SBC, be, and is hereby granted on the following grounds:

That the establishment, maintenance and operation of the proposed use, with the imposition of certain conditions hereinafter set forth, reasonably satisfies the standards set forth in Sec. 12.16 and Sec. 12.45(2) of the Revised Municipal Code, so as to permit the issuance of a Special Use Permit as therein provided.

BE IT FURTHER RESOLVED that said Special Use Permit is granted subject to the following conditions:

1. Site, Landscaping and Architectural Plans. The grant of this Special Use Permit is subject to and conditioned upon a site, landscape and architectural plan approved on February 23, 2005, by the West Allis Plan Commission. No alteration or modification of the approved plan shall be permitted without approval by the West Allis Plan Commission. All outdoor storage areas on site shall be screened and landscaped from abutting properties. Storage items shall be located within approved outdoor storage areas and shall not exceed the height of the fence or screening.
2. Building Plans and Fire Codes. The grant of this special use is subject to building plans being submitted to and approved by the Department of Building Inspections and Zoning and by the Fire Department.
3. Parking. Off-street parking spaces for 72 vehicles will be provided on site. Zoning requires parking for 109 vehicles.
4. Business Hours. Hours of operation will be from 4:00 a.m. to 10:00 p.m. daily.
5. Pagers, Intercoms. The use of outdoor pagers, intercoms, or loud speakers shall not be permitted on site.

6. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries.

7. Expiration of Special Use Permit. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. An extension of these time limitations may be granted without a public hearing by the Common Council by resolution reauthorizing the special use in accordance with the following criteria:

A. The applicant requesting the extension shall complete a planning application available from the Department of Development and shall submit a \$250.00 extension fee.

B. A written explanation for the extension of time shall accompany the planning application along with a timeline/schedule for obtaining necessary permits, zoning, state and municipal approvals and a target date for construction start;

C. The request for extension shall be submitted within sixty (60) days of the expiration of the special use permit;

D. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the special use shall become null and void.

8. Miscellaneous.

A. Applicants are advised that the foregoing conditions are reasonably necessary to protect the public interest and to secure compliance with the standards and requirements specified in Sec. 12.16 of the Revised Municipal Code; that the issuance of the special use is expressly subject to compliance with said conditions.

B. The use, as granted herein, is subject to applicants' compliance with all other state and local laws and regulations which may be applicable to the proposed use of the real estate in question.

C. The special use, as granted herein, shall run with the land and benefit and restrict all future owners and occupants of the property, unless the use shall lapse or be terminated and the use will not be altered or extended (including structural alterations and/or additions) without the approval of the Common Council, following public hearing, all as provided in Sec. 12.16 of the Revised Municipal Code.

Mailed to applicant on the

_____ day of _____, 2005

Assistant City Clerk

cc: Dept. of Development
Dept. of Building Inspections and Zoning
Div. of Planning and Zoning

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